

Form 8. Checklist for Briefs - Rules 24, 26, and 27.

Deadlines for Filing

1. Appellant: 40 days from notice by clerk.
2. Appellee: 30 days from appellant's brief.
3. Reply: 30 days from appellee's brief.

Proof of Service

1. Upon counsel for all parties to the appeal.
2. In criminal appeals arising from a felony charge, upon the Attorney General.
3. In criminal appeals arising from a misdemeanor charge, upon the prosecuting attorney.
4. In appeals from the juvenile court, upon the Attorney General. See Section 78-3a-909.
5. Original signature required on proof of service.

Number of Copies

1. Supreme Court: Ten copies - one with original signature.
2. Court of Appeals: Eight copies - one with original signature.
3. Two copies served on counsel for each party separately represented.

Length

1. Appellant and Appellee: 50 pages, excluding addendum.
2. Reply: 25 pages, excluding addendum.
3. Petition for Rehearing: 15 pages, excluding addendum.

Size and Binding

1. Size: 8 1/2" x 11".
2. Binding: Compact or Vello binding required; coiled plastic or spiral binding not acceptable.

Printing Requirements

1. Margins at least one inch on top, bottom and sides of each page.
2. Proportionally spaced typeface must be 13-point or larger for both text and footnotes. A monospaced typeface may not contain more than ten characters per inch for both text and footnotes.
3. Print on both sides of the page.
4. Double spaced; 1 1/2 line spacing is not acceptable.

Cover Requirements

1. Heavy weight paper.
2. Color:

Appellant or Petitioner Blue

Appellee or Respondent Red

Reply Gray

Amicus, Intervenor, Guardian Green

Petition for Rehearing Tan

Response to Pet'n for Rehearing White

Petition for Certiorari White

Brief in Opposition to Cert Orange

Reply to Brief in Opposition Yellow

3. Caption of the Case:

- a. full title of the case as it appeared in the trial court or agency;
- b. designation of the parties as they appeared in the trial court or agency (e.g., "plaintiff/defendant");

- c. designation of the parties as they appear in the appellate court (e.g., "appellant/appellee").
4. Name of the appellate court ("In the Utah Supreme Court") ("In the Utah Court of Appeals").
5. Appellate court docket number.
6. Title of the document (e.g., "Brief of the Appellant", "Brief of the Appellee").
7. Nature of the proceeding (e.g., "appeal", "petition for review").
8. Name of the trial court or agency and name of the judge (e.g., "Appeal from the Third District Court, Salt Lake County, Judge Smith").
9. Name of counsel and the parties they represent:
 - a. counsel filing brief on lower right;
 - b. opposing counsel on lower left.

Content Requirements - In the Order Stated

1. List of all parties unless the caption on the cover shows all parties.
2. Table of contents with page references.
3. Table of authorities with page references: (a) cases listed alphabetically with parallel citations; (b) rules; (c) statutes; (d) other authorities.
4. Statement showing jurisdiction of the appellate court.
5. Statement of the issues. For each issue state the standard of review and supporting authority. (Optional with appellee if there is no disagreement with appellant's statement.)
6. Determinative constitutional provisions, statutes, ordinances, and rules set forth verbatim or by citation alone if they are set forth verbatim in the addendum.
7. Statement of the case (Optional with appellee if there is no disagreement with appellant's statement):
 - a. nature of the case;
 - b. course of proceedings;
 - c. disposition at trial court or agency.
8. Relevant facts with citation to the record.
9. Summary of the argument.
10. Detail of the argument.
11. Conclusion containing a statement of the relief sought.
12. Original signature of counsel of record or party appearing without counsel on one copy of brief; reproduced signature on other copies.

Addendum

1. Attach at end of brief or file separately.
2. Not counted against total page number.
3. Contents:
 - a. Reproduction of opinion, memorandum decision, findings of fact, conclusions of law, orders, or jury instructions;
 - b. Reproduction of parts of the record of central importance such as contracts or other documents;
 - c. Reproduction of determinative constitutional provisions, statutes, or rules.

Supplement to the Brief

1. By letter to the court. Original and nine copies to Supreme Court. Original and five copies to Court of Appeals.
2. File any time prior to decision, even after oral argument.
3. Citation of supplemental authority with statement of reason. No new argument.

4. Reference to page of brief or point in oral argument supplemented.
5. Response to be filed within seven days.

Motion for Enlargement of Time

1. By stipulation: Rule 26
 - a. first extension only;
 - b. limit: 30 days;
 - c. file prior to expiration of original deadline.
2. By motion: Rules 22 & 23
 - a. File prior to deadline; show original deadline sought to be extended;
 - b. Show number and length of previous extensions;
 - c. Give date certain on which brief will be filed;
 - d. Set forth facts constituting good cause for the request.